

No.

200300200



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Cebeco Seeds R. H.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR PLANT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED, AND SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

PEA, FIELD

'Cebeco Eclipse'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this nineteenth day of September, in the year two thousand and three.

Attest:

Thomas A. Salt

Acting Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER CEBECO SEEDS B.V.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME Cebeco 1475		3. VARIETY NAME 'Cebeco Eclipse' ECLIPSE mar 8/21/03	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) Vijfhoekvenlaan 4 - POB 10.000 5250 GA VLIJMEN - HOLLAND		5. TELEPHONE (include area code) +31-73-5188555		FOR OFFICIAL USE ONLY	
		6. FAX (include area code) +31-73-5188572		VPPO NUMBER 200300200	
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) CORPORATION		8. IF INCORPORATED, GIVE STATE OF INCORPORATION VLIJMEN - HOLLAND		9. DATE OF INCORPORATION 01-01-1993	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)				FILING DATE March 28, 2003	
				FILING AND EXAMINATION FEES: \$ 3652.00 DATE 3/24/03 CERTIFICATION FEE: \$ 432.00 DATE 9/16/2003	
11. TELEPHONE (Include area code)		12. FAX (Include area code)		13. E-MAIL	
				14. CROP KIND (Common Name) FIELD PEA	
15. GENUS AND SPECIES NAME OF CROP PISUM SATIVUM L.		16. FAMILY NAME (Botanical) LEGUMINOSAE		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act <input checked="" type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input type="checkbox"/> NO (If "no", go to item 22)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness		IF YES, WHICH CLASSES? <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED			
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)		IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.			
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership		<input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED			
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)		(If additional explanation is necessary, please use the space indicated on the reverse.)			
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)					
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
4. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER		SIGNATURE OF OWNER CERECO SEEDS B.V. Vijfhoekvenlaan 4 - P.O. Box 10000 5250 GA VLIJMEN - The Netherlands Telephone +31 73 - 5188555			
NAME (Please print or type)		NAME (Please print or type) B. SCHOLTE			
CAPACITY OR TITLE		CAPACITY OR TITLE VARIETY REGISTRATION		DATE 11/03/03	

INSTRUCTIONS

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 application fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

EM

- 1a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 3b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 8c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 8d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

FRANCE, 01/02/02

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

EUROPEAN UNION, 02/12/02 ; CANADA 30/08/01

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

EXHIBIT A

'Cebeco Eclipse'

*MAH
8/21/2003*

Origin and Breeding History of Cebeco 1475 (~~Eclipse~~) (Pisum sativum L.)
1. Genealogy

Cebeco 1475 is selected out of the following crossing:

87318-001 * Cebeco 1441 in 1993.

87318-001 = ((Finale * JI2302) * Countess) * Carrera;

JI2302 = a selection from the John Innis Institute in the UK which supplies seed to all breeders.

Cebeco 1441 = Renata * ((Flavanda * Progreta) * Flavanda

In 1994 a single plant was selected in the F3, followed by line selection and replicated yield trials.

The breeding process was carried out at our breeding station in Lelystad in the Center of the Netherlands. This station is situated on 150 ha reclaimed land on heavy clay soil and is equipped with all the necessary facilities including lab facilities and greenhouses.

2. Breeding goals

The breeding goals were:

<u>Generation</u>	<u>Criteria for selection</u>
F4 plant selection	Straw stiffness Plant length
F5 line selection	Straw stiffness Maturity Resistance to - mildew - Botrytis
F6 yield trials	Yield Straw Stiffness Seed size
F7 yield trials and further	Yield Protein content

Exhibit A-bis

'Cebeco Eclipse'

MAH
8/21/2003**Evidence of Uniformity and Stability of Cebeco 1475 (~~Eclipse~~) (Pisum sativum L.)**

Cebeco 1475 has been tested in official DUS trials in France and the UK in the years 2000-2001. Based on the results from these trials the official authorities in both countries have concluded the following:

1. During the testing years no variants were observed, thus confirming the Uniformity of Cebeco 1475.
2. Over the years Cebeco 1475 has proven to be a Stable variety.

Exhibit B

'*Cebeco Edipse*'

MAH
8/21/2003

Statement of Distinctness of of CEBECO 1475 (~~Eclipse~~) (Pisum sativum L.)

Cebeco 1475 has been found Distinct from all other known varieties but is most similar to Rodeo. However Cebeco 1475 can be distinguished from Rodeo in the characteristics, as described in the following table. All the data in this table have been recorded in trials on our breeding station in Lelystad, the Netherlands.

		Cebeco 1475	Rodeo	
Character				
TGW	1998	265	313	Scale: grams/1000 seeds
	1999	280	296	
Standing ability				
	1999	3.5	5.1	Scale: 1=100% standing 9=100% lodged
	2000	2.4	6.0	
Protein content				
	1998	21.5	21.2	Scale: %
	1999	27.7	26.0	
<ul style="list-style-type: none">Protein Content of Pea is measured by NIRS at our Laboratory in Lelystad. The equipment used is the Bran & Luebbe InfraLyzer 450 (700-2600 nm), which is a fixed filter machine. For the protein content calibration of Pea, 4 filters are used. The sample used is approx. 10 gr. of Pea meal, grinded on a Retch mill at 0.75 mm. The Control varieties Solara and Baccara are used to correct for year or site interactions. In general the protein content is calculated on the basis of 4 years of result in 3 replications				
Plant Height				
	1998	114	80	Scale: Centimeters
	1999	126	87	
Stipule length				
	1998	92	79	Scale: Millimeters
	1999	89	71	
Stipule width				
	1998	56	43	Scale: Millimeters
	1999	53	38	

5

OBJECTIVE DESCRIPTION OF VARIETY

PEA (*PISUM SATIVUM*)

NAME OF APPLICANT(S)

CEBECO SEEDS B.V.

ADDRESS (Street and No. or R.F.D., No., City, State, and ZIP Code)

Vijfhoevenlaan 4 - P.O. Box 10000
3200 GA VLIJMEN - The Netherlands
Telephone +31-73 - 5188555

VARIETY NAME OR TEMPORARY DESIGNATION

~~ECLIPSE~~ 'Cebeco Eclipse'

FOR OFFICIAL USE ONLY

PVPO NUMBER

200300200

Place the appropriate number that describes the varietal character in the boxes below.

Place a zero in first box (e.g., or) when number is either 99 or less or 9 or less.

1. TYPE:

1 = GARDEN

2 = FIELD

3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom:

No. of days to processing

Heat Units

No. of days Earlier than

1 = ALASKA WR

2 = THOMAS LAXTON WR

3 = LITTLE MARVEL

No. of days Later than

4 = WANDO

5 = ALDERMAN WR

6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

Cm. Shorter than

1 = ALASKA WR

2 = THOMAS LAXTON WR

3 = LITTLE MARVEL

Cm. Taller than

4 = WANDO

5 = ALDERMAN WR

6 = AUSTRIAN WINTER

4. VINE:

Habit: 1 = DETERMINATE 2 = INDETERMINATE

Stockiness:

1 = SLIM (Alaska)

3 = HEAVY (Alderman)

2 = MEDIUM (Thomas Laxton WR)

Branching: 1 = NONE (Alaska) 2 = 1-2 BRANCHES (Little Marvel)

3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

Internodes: 1 = STRAIGHT 2 = ZIG ZAG

NUMBER OF NODES

5. LEAFLETS:

Color: 1 = LIGHT GREEN (Alaska WR)

2 = MED. GREEN (Thomas Laxton WR)

3 = DARK GREEN (Alderman)

4 = OTHER (Specify)

Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM 4 = HEAVY

1 = NOT MARBLED

2 = MARBLED (Alaska)

Number of leaflet pairs:

1 = NOT PAIRED

2 = ONE

3 = TWO

4 = THREE OR MORE

6. STIPULES:

1 = LACKING

2 = PRESENT

1 = NOT CLASPING

2 = CLASPING

1 = NOT MARBLED

2 = MARBLED

Size (Compared with leaflets):

1 = SMALLER

2 = SAME

3 = LARGER

Color (Compared with leaflets): 1 = LIGHTER

2 = SAME

3 = DARKER

7. FLOWER COLOR:

VENATION

STANDARD

WING

KEEL

1 = WHITE

2 = GREENISH

3 = LAVENDER

4 = PURPLE 5 = RED

6 = OTHER (Specify) CREAMISH

Lebeco Eclipse

ТАН 8/21/03

9. SEEDS (95–100 Tenderometer):

SEEDS (Dry, Mature):

30	GRAMS PER 100 SEEDS
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COMMENTS:

APPENDIX

OBJECTIVE DESCRIPTION OF VARIETY

PEA (*Pisum sativum*)

Variety Name or Temporary Designation:

~~ECLIPSE~~

'Cebeco Eclipse'

MAH 8/21/2003

LEAFLET CHARACTERISTICS:

☒ Leaflet Type: 1=Leafless 2=Semi 3=Normal

STIPULE CHARACTERISTICS:

☒ Color: 1=Light-Green 2=Medium-Green 3=Dark-Green 4=Blue-Green 5=Yellow-Green 6=Other _____

Please provide example varieties of similar specified color or check varieties and stipule color.

Variety Name	Stipule Color
SOLARA	GREEN-MEDIUM

Variety Name	Stipule Color

Variety Name	Stipule Color

☒ Size: 1=Small 2=Medium 3=Large

Please provide example varieties of similar specified size or check varieties and stipule size.

Variety Name	Stipule Size
SOLARA	MEDIUM

Variety Name	Stipule Size

Variety Name	Stipule Size

OTHER CHARACTERISTICS: Describe other characteristics that may aid in identification.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) CEBELO SEEDS B.V.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER CEBELO 1475	3. VARIETY NAME ECLIPSE 'Cebeco Eclipse' MAH 8/21/03
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) Vijfhoekvenlaan 4 - POB 10.000 5250 GA VLIJMEN - HOLLAND	5. TELEPHONE (include area code) +31-73-5188555	6. FAX (include area code) +31-73-5188572
7. PVPO NUMBER 200300200		
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain. <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <u>THE NETHERLANDS</u> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
10. Is the applicant the original breeder? If no, please answer the following: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO a. If original rights to variety were owned by individual(s): Is (are) the original breeder(s) a U.S. national(s)? If no, give name of country _____ b. If original rights to variety were owned by a company: Is the original breeder(s) U.S. based company? If no, give name of country <u>THE NETHERLANDS</u> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
11. Additional explanation on ownership (If needed, use reverse for extra space):		

PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original breeder, both the original breeder and the applicant must meet one of the above criteria.

The original breeder may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, AG Box 7630, Jamie L. Whitten Building, Washington, D.C. 20250. When replying, refer to OMB No. 0581-0055 and form number in your letter.

Under the PRA of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call (202) 720-7327 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

STD-470-E (03-96)